

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**FERREE**

**Serial No.: 10/787,469**

Filed: February 26, 2004

For: ANNULUS FIBROSIS  
AUGMENTATION METHODS (as  
amended)

Group Art Unit: 3733

Examiner: David C. Comstock

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant herein requests a corrected filing receipt for the above-identified patent application. Enclosed is a copy of the Filing Receipt mailed June 17, 2004, attached as Exhibit A, with the requested corrections manually noted. Applicant respectfully asks that the following corrections be made and a new Official Filing Receipt be issued.

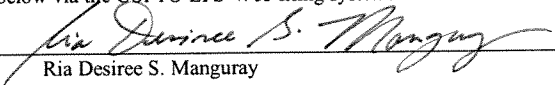
The Filing Receipt for the above-identified application (copy enclosed) incorrectly lists the priority data. Please amend the domestic priority as follows.

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CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being electronically transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO EFS-Web filing system.

December 18, 2007  
Date of Transmission

  
Ria Desiree S. Manguray

~~This application is a CIP of 10/120,763 04/11/2002  
which is a CIP of 09/807,820 04/19/2001  
and is a CIP of 09/638,241 08/14/2000  
and is a CIP of 09/454,908 12/03/1999 PAT 6,491,724  
and is a CIP of 09/639,309 08/14/2000 PAT 6,419,702  
and is a CIP of 09/690,536 10/16/2000 PAT 6,371,990  
which is a CIP of 09/638,726 08/14/2000 PAT 6,340,369  
and is a CIP of 09/415,382 10/08/1999 PAT 6,419,704~~

These amendments are also requested in the Response filed herewith.

Additionally, in the Amendment and Response to Restriction Requirement filed on February 20, 2007, Applicant requested that the title be amended as follows:

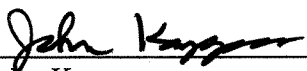
~~--ANNULUS FIBROSIS AUGMENTATION METHODS AND APPARATUS --~~

The Commissioner is hereby authorized to charge any fees that may be required in connection with the filing of these documents to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: December 18, 2007

By:   
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(949) 760-9600

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# EXHIBIT A



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/787,469	02/26/2004	3732	450	BAF-10404/29	10	14	2

John G. Posa  
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280 N. Old Woodward Ave., Suite 400  
Birmingham, MI 48009-5394

CONFIRMATION NO. 6985

UPDATED FILING RECEIPT



\*OC000000012979543\*

Date Mailed: 06/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Bret A. Ferree, Cincinnati, OH;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/120,763 04/11/2002  
which is a CIP of 09/807,820 04/10/2001  
and is a CIP of 09/638,241 08/14/2000  
and is a CIP of 09/454,908 12/03/1999 PAT 6,491,724  
and is a CIP of 09/639,309 08/14/2000 PAT 6,419,702  
and is a CIP of 09/690,536 10/16/2000 PAT 6,371,990  
which is a CIP of 09/638,726 08/14/2000 PAT 6,340,369  
and is a CIP of 09/415,382 10/08/1999 PAT 6,419,704

## Foreign Applications

If Required, Foreign Filing License Granted: 05/16/2004

Projected Publication Date: 09/23/2004

Non-Publication Request: No

Early Publication Request: No

RECEIVED  
JUN 21 2004

GIFFORD, KRASS, GROH, SPRINKLE,  
ANDERSON & CITKOWSKI, P.C.



Exhibit A

**\*\* SMALL ENTITY \*\***

**Title**

Annulus fibrosis augmentation methods ~~and apparatus~~

**Preliminary Class**

606

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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